

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA

AT CHARLESTON

MICHAEL RHODES, and
ROBERT RHODES,

Plaintiffs,

v.

Civil Action No. 2:18-cv-01179

WEST VIRGINIA DIVISION OF
PROTECTIVE SERVICES; GREGORY SCOTT FERNATT,
individually and in his capacity as
a Capitol Security Officer; ROBERT K. HERALD,
individually and in his capacity as
a Capitol Security Officer; SCOTT DUFF,
individually and in his capacity as a Capitol
Security Officer; JOHN WORKMAN, individually
and in his capacity as a Capitol Security Officer;
TRAVAS BENNETT, individually and in his
capacity as a Capitol Security Officer; and
JACK CHAMBERS, individually and
in his capacity as Deputy Director of
the West Virginia Division of Protective
Services,

Defendants,

and

GREGORY SCOTT FERNATT,

Counterclaimant,

v.

MICHAEL RHODES,

Counterdefendant.

ORDER

Pending is parties' "Agreed Proposed Revised Scheduling Order," filed June 3, 2019, which appears to be a joint motion to revise the court's November 5, 2018 scheduling order.

Discovery in this matter was scheduled to close on June 3, 2016. However, due to a variety of factors, including: personal circumstances of plaintiffs' counsel, the plaintiffs having moved to Florida, and the pendency of the defendants' joint motion to dismiss, filed October 16, 2018, no discovery depositions have been taken in this case, nor has an independent medical examination been conducted.

For these reasons the parties seek at least a three-month extension of all dates in the November 5, 2018 scheduling order so that the parties might fully examine "the interests and equities addressed in this litigation."


Good cause being shown, it is ORDERED that the court's scheduling order of November 5, 2018 be modified to the following extent:

Discovery to close	09/03/2019
Dispositive motions deadline	09/23/2019
Response to dispositive motion	10/07/2019
Reply to response to dispositive motion	10/15/2019
Settlement meeting	11/20/2019

Motion in limine deadline	12/02/2019
Responses for motions in limine	12/06/2019
Proposed pretrial order to defendant	11/22/2019
Integrated pretrial order	12/09/2019
Pretrial conference	12/13/2019 10:00 AM
Proposed jury charge	01/03/2020
Final settlement conference	01/13/2020 10:00 AM
Trial	01/14/2020 9:30 AM

The Clerk is directed to transmit copies of this order to all counsel of record.

ENTER: June 4, 2019


 John T. Copenhaver, Jr.
 Senior United States District Judge